

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

MARK ULIANO,
Plaintiff

VS.

C.A. NO. 04 10797-GA0

MARIE H. BISSELL and
KENNETH J. TILDEN,
Defendants

SUPPLEMENTARY AFFIDAVIT OF ATTORNEY BRUCE A. BIERHANS IN
SUPPORT OF NOTICE OF ATTORNEY'S LIEN

I, Bruce A. Bierhans, under oath, herby depose and say
the following:

1. Subsequent to the filing of my Affidavit on Friday morning, February 24, 2006, there were communications in the afternoon between my counsel, Attorney Stern, and counsel for Delamere & Cohen, Attorney Dwork.

2. As a result of those communications, I learned that settlement checks had not yet been received by Delamere & Cohen, LLC and that there were, in fact, no escrowed funds.

3. Based on those communications between counsel, it is my understanding that the parties have agreed, as follows:

a. The two (2) settlement checks will require my endorsement on behalf of Bierhans, Delamere & Cohen, LLC. Delamere & Cohen, LLC and the client will also be payees;

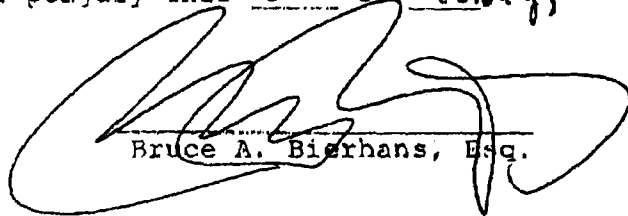
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- b. When funds are received, the client, Mr. Uliano, will be paid immediately, less any funds due medical providers;
 - c. My firm will immediately be paid it's unreimbursed out of pocket expenses in the amount of \$3,281.00;
 - d. The legal fees at issue shall be escrowed and held by Attorney Stern as escrow agent, subject to mutual agreement or Order of this Court.
4. I believe that the issues that remain undecided are:
- a. Whether or not an alleged referral fee is due to Attorney Glen Hannington;
 - b. The allocation of fees between Bierhans, Delamere & Cohen, LLC and Delamere & Cohen, LLC.

Signed under the penalties of perjury this 26 of February,
2006.



Bruce A. Bierhans, Esq.